IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10391 of 2003

For Approval and Signature:

HON'BLE MR.JUSTICE JAYANT PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PRANTIJ TALUKA EDUCATION SOCIETY

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 10391 of 2003

MR NIRZAR S DESAI for Petitioner No. 1

MR AD OZA, Ld. GP with MR DESAI, Ld. AGP for Respondent No. 1

MR MITUL K SHELAT for Respondent No. 2

MR PK JANI for Respondent No. 3

CORAM : HON'BLE MR.JUSTICE JAYANT PATEL

Date of decision: 10/09/2003

ORAL JUDGEMENT

1. Mr.Oza, learned Sr. Counsel appearing with Mr.Desai, on behalf of the petitioner, states that since for the present year of 2003-04, the approved in-take capacity is only 60, the petitioner would not claim further increase of the in-take capacity. However, for the next year i.e. 2004-05, the petitioner will apply in the prescribed form after undergoing necessary formalities to NCTE for increase of the in-take capacity from 60 to 100. He further submitted that if such application is made, the same may be ordered to be considered within a reasonable time.

2. Mr.Jani, learned Counsel appearing for NCTE, has no objection for such course being adopted.

3. Mr.A.D.Oza, learned GP appearing with Mr.Desai, learned AGP for the State respondents, submitted that even for the increase of in-take capacity, the petitioner will have to approach the State Government for "no objection certificate".

4. Under the above circumstances, for the year 2003-04, the petitioner college will have the in-take capacity of only 60 which is duly approved in-take capacity for B.Ed. Course and for the year 2004-05, it would be open to the petitioner to approach the State Government as well as NCTE for increase of the in-take capacity from 60 to 100 and if such application is made to NCTE, the same will be considered as early as possible, preferably within three months from the date of receipt of such application. The petition is disposed of accordingly. Rule discharged subject to the above directions.

10-9-2003 (Jayant Patel, J.)

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